

**Calendar No. 448**

106TH CONGRESS  
2D SESSION

**S. 397**

**[Report No. 106-232]**

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## **A BILL**

To authorize the Secretary of Energy to establish a multiagency program in support of the Materials Corridor Partnership Initiative to promote energy efficient, environmentally sound economic development along the border with Mexico through the research, development, and use of new materials technology.

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MARCH 9, 2000

Reported with an amendment and an amendment to the  
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IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 1999

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 9, 2000

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To authorize the Secretary of Energy to establish a multiagency program in support of the Materials Corridor Partnership Initiative to promote energy efficient, environmentally sound economic development along the border with Mexico through the research, development, and use of new materials technology.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Materials  
5       Corridor Partnership Act of 1999”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) the region adjacent to the 2,000-mile border  
9       between the United States and Mexico is an impor-  
10      tant region for energy-intensive manufacturing and  
11      materials industries critical to the economic and so-  
12      cial wellbeing of both countries;

13              (2) there are currently more than 800 multi-  
14      national firms (including firms known as  
15      “maquiladoras”) representing United States invest-  
16      ments of more than \$1,000,000,000 in the San  
17      Diego, California, and Tijuana, Baja California, bor-  
18      der region and in the El Paso, Texas, and Juarez,  
19      Chihuahua, border region;

20              (3) materials and materials-related industries  
21      comprise a major portion of the industries operating  
22      on both sides of the border, amounting to more than  
23      \$6,800,000,000 in annual commerce on the Mexican  
24      side alone;

1           (4) there are a significant number of major in-  
2           stitutions in the border States of both countries cur-  
3           rently conducting academic and research activities in  
4           materials;

5           (5)(A) the United States Government currently  
6           invests approximately \$1,000,000,000 annually in  
7           materials research, of which, in 1996, the Depart-  
8           ment of Energy funded the largest proportion of ei-  
9           vilian materials research; and

10          (B) there are also major materials programs at  
11          the National Science Foundation, the National Insti-  
12          tute of Standards and Technology, and Department  
13          of Defense, among other entities;

14          (6) the United States and Mexico have invested  
15          heavily in domestic and binational cooperative pro-  
16          grams to address major concerns for the natural re-  
17          sources, environment, and public health of the  
18          United States-Mexico border region, expending hun-  
19          dreds of millions of dollars annually in those efforts;

20          (7)(A) scientific and technical advances in ma-  
21          terials and materials processing provide major op-  
22          portunities for—

23               (i) significantly improving energy effi-  
24               ciency;

1           (ii) reducing emissions of global climate  
2 change gases;

3           (iii) using recycled natural resources as  
4 primary materials for industrial production; and

5           (iv) minimizing industrial wastes and pol-  
6 lution; and

7           (B) such advances will directly benefit both  
8 sides of the United States-Mexico border by encour-  
9 aging energy efficient, environmentally sound eco-  
10 nomic development that protects the health and nat-  
11 ural resources of the border region;

12          (8)(A) promoting clean materials industries in  
13 the border region that are energy efficient has been  
14 identified as a high priority issue by the United  
15 States-Mexico Foundation for Science Cooperation;  
16 and

17          (B) at the 1998 discussions of the United  
18 States-Mexico Binational Commission, Mexico for-  
19 mally proposed joint funding of a "Materials Cor-  
20 ridor Partnership Initiative", proposing \$1,000,000  
21 to implement the Initiative if matched by the United  
22 States;

23          (9) recognizing the importance of materials and  
24 materials processing, academic and research institu-  
25 tions in the border States of both the United States

1 and Mexico, in conjunction with private sector part-  
2 ners of both countries, and with strong endorsement  
3 from the Government of Mexico, in 1998 organized  
4 the Materials Corridor Council to implement a coop-  
5 erative program of materials research and develop-  
6 ment, education and training, and sustainable indus-  
7 trial development as part of the Materials Corridor  
8 Partnership Initiative; and

9 (10) successful implementation of the Materials  
10 Corridor Partnership Initiative would advance im-  
11 portant United States energy, environmental, and  
12 economic goals not only in the United States-Mexico  
13 border region but also as a model for similar collabo-  
14 rative materials initiatives in other regions of the  
15 world.

16 **SEC. 3. PURPOSE.**

17 The purpose of this Act is to establish a multiagency  
18 program in support of the Materials Corridor Partnership  
19 Initiative referred to in section 2(8) to promote energy ef-  
20 ficient, environmentally sound economic development  
21 along the United States-Mexico border through the re-  
22 search, development, and use of new materials technology.

23 **SEC. 4. DEFINITIONS.**

24 In this Act:

1           (1) PROGRAM.—The term “program” means  
2           the program established under section 5(a).

3           (2) SECRETARY.—The term “Secretary” means  
4           the Secretary of Energy.

5   **SEC. 5. ESTABLISHMENT AND IMPLEMENTATION OF THE**  
6                           **PROGRAM.**

7           (a) ESTABLISHMENT.—

8           (1) IN GENERAL.—The Secretary shall establish  
9           a comprehensive program to promote energy effi-  
10          cient, environmentally sound economic development  
11          along the United States-Mexico border through the  
12          research, development, and use of new materials  
13          technology.

14          (2) CONSIDERATIONS.—In developing the pro-  
15          gram, the Secretary shall give due consideration to  
16          the proposal made to the United States-Mexico Bi-  
17          national Commission for the Materials Corridor  
18          Partnership Initiative.

19          (b) PARTICIPATION OF OTHER FEDERAL AGEN-  
20          CIES.—The Secretary shall organize and conduct the pro-  
21          gram jointly with—

22               (1) the Department of State;

23               (2) the Environmental Protection Agency;

24               (3) the National Science Foundation;

1           (4) the National Institute of Standards and  
2           Technology; and

3           (5) any other departments or agencies the par-  
4           ticipation of which the Secretary considers appro-  
5           priate.

6           (c) PARTICIPATION OF THE PRIVATE SECTOR.—

7           When appropriate, funds made available under this Act  
8           shall be made available for research and development or  
9           education and training activities that are conducted with  
10          the participation and support of private sector organiza-  
11          tions located in the United States and, subject to section  
12          7(c)(2), Mexico, to promote and accelerate in the United  
13          States-Mexico border region the use of energy efficient,  
14          environmentally sound technologies and other advances re-  
15          sulting from the program.

16          (d) MEXICAN RESOURCE CONTRIBUTIONS.—The  
17          Secretary shall—

18                (1) encourage public, private, nonprofit, and  
19                academic organizations located in Mexico to con-  
20                tribute significant financial and other resources to  
21                the program; and

22                (2) take any such contributions into account in  
23                conducting the program.

24          (e) TRANSFER OF TECHNOLOGY FROM NATIONAL  
25          LABORATORIES.—In conducting the program, the Sec-



1 retary shall emphasize the transfer and use of materials  
 2 technology developed by the national laboratories of the  
 3 Department of Energy before the date of enactment of  
 4 this Act.

5 **SEC. 6. ACTIVITIES AND MAJOR PROGRAM ELEMENTS.**

6       (a) **ACTIVITIES.**—Funds made available under this  
 7 Act shall be made available for research and development  
 8 and education and training activities that are primarily  
 9 focused on materials, and the synthesis, processing, and  
 10 fabrication of materials, that promote—

- 11               (1) improvement of energy efficiency;
- 12               (2) elimination or minimization of emissions of
- 13               global climate change gases and contaminants;
- 14               (3) minimization of industrial wastes and pol-
- 15               lutants; and
- 16               (4) use of recycled resources as primary mate-
- 17               rials for industrial production.

18       (b) **MAJOR PROGRAM ELEMENTS.**—

19               (1) **IN GENERAL.**—The program shall have the  
 20               following major elements:

- 21                       (A) Applied research, focused on maturing
- 22                       and refining materials technologies to dem-
- 23                       onstrate the feasibility or utility of the mate-
- 24                       rials technologies.

(B) Basic research, focused on the discovery of new knowledge that may eventually prove useful in creating materials technologies to promote energy efficient, environmentally sound manufacturing.

(C) Education and training, focused on educating and training scientists, engineers, and workers in the border region in energy efficient, environmentally sound materials technologies.

(2) APPLIED RESEARCH.—Applied research projects under paragraph (1)(A) should typically involve significant participation from private sector organizations that would use or sell such a technology.

(3) BASIC RESEARCH.—Basic research projects conducted under paragraph (1)(B) should typically be led by an academic or other research institution.

## **SEC. 7. PARTICIPATION OF DEPARTMENTS AND AGENCIES**

### **OTHER THAN THE DEPARTMENT OF ENERGY.**

(a) AGREEMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the departments and agencies referred to in section 5(b) on the coordination and implementation of the program.

1       (b) ACTIONS OF DEPARTMENTS AND AGENCIES.—

2   Any action of a department or agency under an agreement  
3   under subsection (a) shall be the responsibility of that de-  
4   partment or agency and shall not be subject to approval  
5   by the Secretary.

6       (c) USE OF FUNDS.—

7           (1) IN GENERAL.—The Secretary and the de-  
8       partments and agencies referred to in section 5(b)  
9       may use funds made available for the program for  
10      research and development or education and training  
11      activities carried out by—

12           (A) State and local governments and aca-  
13      demic, nonprofit, and private organizations lo-  
14      cated in the United States; and

15           (B) State and local governments and aca-  
16      demic, nonprofit, and private organizations lo-  
17      cated in Mexico.

18           (2) CONDITION.—Funds may be made available  
19      to a State or local government or organization lo-  
20      cated in Mexico only if a government or organization  
21      located in Mexico (which need not be the recipient  
22      of the funds) contributes a significant amount of fi-  
23      nancial or other resources to the project to be fund-  
24      ed.

1       (d) ~~TRANSFER OF FUNDS.~~—The Secretary may  
2 transfer funds to the departments and agencies referred  
3 to in section 5(b) to carry out the responsibilities of the  
4 departments and agencies under this Act.

5 **SEC. 8. PROGRAM ADVISORY COMMITTEE.**

6       (a) ~~ESTABLISHMENT.~~—

7           (1) ~~IN GENERAL.~~—The Secretary shall establish  
8 an advisory committee consisting of representatives  
9 of the private, academic, and public sectors.

10          (2) ~~CONSIDERATIONS.~~—In establishing the ad-  
11 visory committee, the Secretary shall take into con-  
12 sideration organizations in existence on the date of  
13 enactment of this Act, such as the Materials Cor-  
14 ridor Council and the Business Council for Sustain-  
15 able Development-Gulf Mexico.

16       (b) ~~CONSULTATION AND COORDINATION.~~—Depart-  
17 ments and agencies of the United States to which funds  
18 are made available under this Act shall consult and coordi-  
19 nate with the advisory committee in identifying and imple-  
20 menting the appropriate types of projects to be funded  
21 under this Act.

22 **SEC. 9. FINANCIAL AND TECHNICAL ASSISTANCE.**

23       (a) ~~IN GENERAL.~~—Federal departments and agencies  
24 participating in the program may provide financial and

1 technical assistance to other organizations to achieve the  
2 purpose of the program.

3 ~~(b) APPLIED RESEARCH.—~~

4 ~~(1) USE OF COOPERATIVE AGREEMENTS.—~~

5 ~~(A) IN GENERAL.—~~Federal departments  
6 and agencies shall, to the extent practicable,  
7 use cooperative agreements to fund applied re-  
8 search activities by organizations outside the  
9 Federal Government.

10 ~~(B) NATIONAL LABORATORIES.—~~In the  
11 case of an applied research activity conducted  
12 by a national laboratory, a funding method  
13 other than a cooperative agreement may be  
14 used if such a funding method would be more  
15 administratively convenient.

16 ~~(2) FEDERAL SHARE.—~~

17 ~~(A) IN GENERAL.—~~The Federal Govern-  
18 ment shall pay not more than 50 percent of the  
19 cost of applied research activities under the pro-  
20 gram.

21 ~~(B) QUALIFIED FUNDING AND RE-~~  
22 ~~SOURCES.—~~No funds or other resources ex-  
23 pended either before the start of a project  
24 under the program or outside the scope of work  
25 covered by the funding method determined

1 under paragraph (1) shall be credited toward  
 2 the non-Federal share of the cost of the project.

3 ~~(c) BASIC RESEARCH AND EDUCATION AND TRAIN-~~  
 4 ~~ING.—~~

5 (1) IN GENERAL.—Federal departments and  
 6 agencies shall, to the extent practicable, use grants  
 7 to fund basic research and education and training  
 8 activities by organizations outside the Federal Gov-  
 9 ernment.

10 (2) NATIONAL LABORATORIES.—In the case of  
 11 a basic research or education activity conducted by  
 12 a national laboratory, a funding method other than  
 13 a grant may be used if such a funding method would  
 14 be more administratively convenient.

15 ~~(3) FEDERAL SHARE.—The Federal Govern-~~  
 16 ~~ment may fund 100 percent of the cost of the basic~~  
 17 ~~research and education and training activities of the~~  
 18 ~~program.~~

19 (d) COMPETITIVE SELECTION.—All projects funded  
 20 under the program shall be competitively selected using  
 21 such selection criteria as the Secretary, in consultation  
 22 with the departments and agencies referred to in section  
 23 5(b), determines to be appropriate.

24 ~~(e) ACCOUNTING STANDARDS.—~~

1           (1) ~~WAIVER.~~—To facilitate participation in the  
 2           program, Federal departments and agencies may  
 3           waive any requirements for Government accounting  
 4           standards by organizations that have not established  
 5           such standards.

6           (2) ~~GAAP.~~—Generally accepted accounting  
 7           principles shall be sufficient for projects under the  
 8           program.

9           (f) ~~NO CONSTRUCTION.~~—No program funds may be  
 10          used for construction.

11       **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

12          There is authorized to be appropriated to carry out  
 13          this Act \$5,000,000 for each of fiscal years 2000 through  
 14          2004.

15       **SECTION 1. SHORT TITLE.**

16          *This Act may be cited as the “National Materials Cor-*  
 17          *ridor and United States-Mexico Border Technology Part-*  
 18          *nership Act of 2000”.*

19       **SEC. 2. FINDINGS.**

20          *Congress finds that—*

21               (1) *the 2,000 mile long United States-Mexico*  
 22          *border region, extending 100 kilometers north and*  
 23          *south of the international boundary, has undergone*  
 24          *rapid economic growth that has provided economic*  
 25          *opportunity to millions of people;*

1           (2) *the border region's rapid economic growth*  
 2           *has unfortunately created serious problems including*  
 3           *pollution, hazardous wastes, and the inefficient use of*  
 4           *resources that threaten people's health and the pros-*  
 5           *pects for long-term economic growth in the region;*

6           (3) *there are a significant number of major in-*  
 7           *stitutions in the border States of both countries cur-*  
 8           *rently conducting research, development and testing*  
 9           *activities in technologies that might help alleviate*  
 10          *these problems;*

11          (4)(A) *these new technologies may provide major*  
 12          *opportunities for significantly—*

13               (i) *minimizing industrial wastes and pollu-*  
 14               *tion that may pose a threat to public health;*

15               (ii) *reducing emissions of atmospheric pol-*  
 16               *lutants;*

17               (iii) *using recycled natural resources as pri-*  
 18               *mary materials for industrial production; and*

19               (iv) *improving energy efficiency; and*

20          (B) *such advances will directly benefit both sides*  
 21          *of the United States-Mexico border by encouraging en-*  
 22          *ergy efficient, environmentally sound economic devel-*  
 23          *opment that improves the health and protects the nat-*  
 24          *ural resources of the border region;*



1           (5) in August 1998, the binational United  
2       *States-Mexico Border Region Hazardous Wastes*  
3       *Forum, organized by the Department of Energy's*  
4       *Carlsbad Area Office, resulted in a consensus of ex-*  
5       *perts from the United States and Mexico that the De-*  
6       *partment of Energy's science and technology could be*  
7       *leveraged to address key environmental issues in the*  
8       *border region while fostering further economic devel-*  
9       *opment of the border region;*

10          (6) the Carlsbad Area Office, which manages the  
11       *Waste Isolation Pilot Plant in Carlsbad, New Mexico,*  
12       *is well suited to lead a multiagency program focused*  
13       *on the problems of the border region given its signifi-*  
14       *cant expertise in hazardous materials and location*  
15       *near the border;*

16          (7)(A) promoting clean materials industries in  
17       *the border region that are energy efficient has been*  
18       *identified as a high priority issue by the United*  
19       *States-Mexico Foundation for Science Cooperation;*  
20       *and*

21          (B) at the 1998 discussions of the United States-  
22       *Mexico Binational Commission, Mexico formally pro-*  
23       *posed joint funding of a "Materials Corridor Partner-*  
24       *ship Initiative", proposing \$1,000,000 to implement*  
25       *the Initiative if matched by the United States;*

1           (8) *recognizing the importance of materials proc-*  
2           *essing, research institutions in the border States of*  
3           *both the United States and Mexico, in conjunction*  
4           *with private sector partners of both nations, and with*  
5           *strong endorsement from the Government of Mexico,*  
6           *in 1998 organized the Materials Corridor Council to*  
7           *implement a cooperative program of materials re-*  
8           *search and development, education and training, and*  
9           *sustainable industrial development as part of the Ma-*  
10          *terials Corridor Partnership Initiative; and*

11          (9) *successful implementation of this Act would*  
12          *advance important United States energy, environ-*  
13          *mental, and economic goals not only in the United*  
14          *States-Mexico border region but also serve as a model*  
15          *for similar collaborative, transnational initiatives in*  
16          *other regions of the world.*

17 **SEC. 3. PURPOSE.**

18          *The purpose of this Act is to establish a multiagency*  
19          *program to—*

20               (1) *alleviate the problems caused by rapid eco-*  
21               *nomie development along the United States-Mexico*  
22               *border;*

23               (2) *support the Materials Corridor Partnership*  
24               *Initiative referred to in section 2(7); and*

1           (3) *promote energy efficient, environmentally*  
 2           *sound economic development along that border*  
 3           *through the development and use of new technologies,*  
 4           *particularly hazardous waste and materials tech-*  
 5           *nologies.*

6 **SEC. 4. DEFINITIONS.**

7       *In this Act:*

8           (1) *PROGRAM.*—*The term “program” means the*  
 9           *program established under section 5(a).*

10          (2) *SECRETARY.*—*The term “Secretary” means*  
 11          *the Secretary of Energy.*

12 **SEC. 5. ESTABLISHMENT AND IMPLEMENTATION OF THE**  
 13               **PROGRAM.**

14       (a) *ESTABLISHMENT.*—

15           (1) *IN GENERAL.*—*The Secretary shall establish*  
 16           *a multiagency program to—*

17               (A) *alleviate the problems caused by rapid*  
 18               *economic development along the United States-*  
 19               *Mexico border, particularly those associated with*  
 20               *public health and environmental security;*

21               (B) *support the Materials Corridor Partner-*  
 22               *ship Initiative; and*

23               (C) *promote energy efficient, environ-*  
 24               *mentally sound economic development along that*  
 25               *border through the development and use of new*

1           *technologies, particularly hazardous waste and*  
2           *materials technologies.*

3           (2) *CONSIDERATIONS.—In developing the pro-*  
4           *gram, the Secretary shall give due consideration to*  
5           *the proposal made to the United States-Mexico Bina-*  
6           *tional Commission for the Materials Corridor Part-*  
7           *nership Initiative.*

8           (3) *PROGRAM MANAGEMENT.—This program*  
9           *shall be managed for the Secretary by the Depart-*  
10          *ment's Carlsbad Area Office, with support, as nec-*  
11          *essary, from the Albuquerque Operations Office.*

12          (b) *PARTICIPATION OF OTHER FEDERAL AGENCIES*  
13          *AND COMMISSIONS.—The Secretary shall organize and con-*  
14          *duct the program jointly with—*

15               (1) *the Department of State;*

16               (2) *the Environmental Protection Agency;*

17               (3) *the National Science Foundation;*

18               (4) *the National Institute of Standards and*  
19               *Technology;*

20               (5) *the United States-Mexico Border Health*  
21               *Commission; and*

22               (6) *any other departments, agencies, or commis-*  
23               *sions the participation of which the Secretary con-*  
24               *siders appropriate.*

1       (c) *PARTICIPATION OF THE PRIVATE SECTOR.*—When  
 2       appropriate, funds made available under this act shall be  
 3       made available for technology deployment, research, and  
 4       training activities that are conducted with the participa-  
 5       tion and support of private sector organizations located in  
 6       the United States and, subject to section 7(c)(2), Mexico,  
 7       to promote and accelerate in the United States-Mexico bor-  
 8       der region the use of energy efficient, environmentally sound  
 9       technologies and other advances resulting from the program.

10       (d) *MEXICAN RESOURCE CONTRIBUTIONS.*—The Sec-  
 11       retary shall—

12               (1) encourage public, private, nonprofit, and  
 13       academic organizations located in Mexico to con-  
 14       tribute significant financial and other resources to the  
 15       program; and

16               (2) take any such contributions into account in  
 17       conducting the program.

18       (e) *TRANSFER OF TECHNOLOGY FROM NATIONAL LAB-*  
 19       *ORATORIES.*—In conducting the program, the Secretary  
 20       shall emphasize the transfer and use of technology developed  
 21       by the national laboratories of the Department of Energy.

22       **SEC. 6. ACTIVITIES AND MAJOR PROGRAM ELEMENTS.**

23       (a) *ACTIVITIES.*—Funds made available under this Act  
 24       shall be made available for technology deployment, research,  
 25       and training activities, particularly related to hazardous

1 *waste and materials technologies, that will alleviate the*  
 2 *problems caused by rapid economic development along the*  
 3 *United States-Mexico border, that focus on issues related to*  
 4 *the protection of public health and environmental security,*  
 5 *and that promote—*

6           (1) *minimization of industrial wastes and pol-*  
 7       *lutants;*

8           (2) *reducing emissions of atmospheric pollutants;*

9           (3) *use of recycled resources as primary mate-*  
 10       *rials for industrial production; and*

11          (4) *improvement of energy efficiency.*

12       (b) *MAJOR PROGRAM ELEMENTS.—*

13           (1) *IN GENERAL.—The program shall have the*  
 14       *following major elements, all of which shall emphasize*  
 15       *hazardous waste and materials technologies:*

16           (A) *Technology Deployment, focused on the*  
 17       *clear, operational demonstration of the utility of*  
 18       *well developed technologies in new organizations*  
 19       *or settings.*

20           (B) *Research, focused on developing, matur-*  
 21       *ing, and refining technologies to investigate or*  
 22       *improve the feasibility or utility of the tech-*  
 23       *nologies.*

24           (C) *Training, focused on training busi-*  
 25       *nesses, industries, and their workers in the bor-*

1            *der region in energy efficient, environmentally*  
 2            *sound technologies that minimize waste, decrease*  
 3            *public health risks, increase recycling, and im-*  
 4            *prove environmental security.*

5            (2) *TECHNOLOGY DEPLOYMENT AND RE-*  
 6            *SEARCH.—Projects under paragraph (1)(A) and*  
 7            *(1)(B) should typically involve significant participa-*  
 8            *tion from private sector organizations that would use*  
 9            *or sell such a technology.*

10 **SEC. 7. PARTICIPATION OF DEPARTMENTS, AGENCIES, AND**  
 11 **COMMISSIONS OTHER THAN THE DEPART-**  
 12 **MENT OF ENERGY.**

13            (a) *AGREEMENT.—Not later than 120 days after the*  
 14            *date of enactment of this Act, the Secretary shall enter into*  
 15            *an agreement with the departments, agencies, and commis-*  
 16            *sions referred to in section 5(b) on the coordination and*  
 17            *implementation of the program.*

18            (b) *ACTIONS OF DEPARTMENTS, AGENCIES, AND COM-*  
 19            *MISSIONS.—Any action of a department, agency, or com-*  
 20            *mission under an agreement under subsection (a) shall be*  
 21            *the responsibility of that department, agency, or commis-*  
 22            *sion and shall not be subject to approval by the Secretary.*

23            (c) *USE OF FUNDS.—*

24            (1) *IN GENERAL.—The Secretary and the depart-*  
 25            *ments, agencies, and commissions referred to in sec-*

1        *tion 5(b) may use funds made available for the pro-*  
 2        *gram for technology deployment, research, or training*  
 3        *activities carried out by—*

4                *(A) State and local governments and aca-*  
 5                *demic, nonprofit, and private organizations lo-*  
 6                *cated in the United States; and*

7                *(B) State and local governments and aca-*  
 8                *demic, nonprofit, and private organizations lo-*  
 9                *cated in Mexico.*

10            *(2) CONDITION.—Funds may be made available*  
 11            *to a State or local government or organization located*  
 12            *in Mexico only if a government or organization lo-*  
 13            *cated in Mexico (which need not be the recipient of*  
 14            *the funds) contributes a significant amount of finan-*  
 15            *cial or other resources to the project to be funded.*

16            *(d) TRANSFER OF FUNDS.—The Secretary may trans-*  
 17            *fer funds to the departments, agencies, and commissions re-*  
 18            *ferred to in section 5(b) to carry out the responsibilities*  
 19            *of the departments, agencies, and commissions under this*  
 20            *Act.*

21    **SEC. 8. PROGRAM ADVISORY COMMITTEE.**

22            *(a) ESTABLISHMENT.—*

23                *(1) IN GENERAL.—The Secretary shall establish*  
 24                *an advisory committee consisting of representatives of*  
 25                *the private, academic, and public sectors.*



1           (2) *CONSIDERATIONS.*—*In establishing the advisory committee, the Secretary shall take into consideration organizations in existence on the date of enactment of this Act, such as the Materials Corridor Council and the Business Council for Sustainable Development-Gulf Mexico.*

7           (b) *CONSULTATION AND COORDINATION.*—*Departments, agencies, and commissions of the United States to which funds are made available under this Act shall consult and coordinate with the advisory committee in identifying and implementing the appropriate types of projects to be funded under this Act.*

13 **SEC. 9. FINANCIAL AND TECHNICAL ASSISTANCE.**

14           (a) *IN GENERAL.*—*Federal departments, agencies, and commissions participating in the program may provide financial and technical assistance to other organizations to achieve the purpose of the program.*

18           (b) *TECHNOLOGY DEPLOYMENT AND RESEARCH.*—

19                 (1) *USE OF COOPERATIVE AGREEMENTS.*—

20                         (A) *IN GENERAL.*—*Federal departments, agencies, and commissions shall, to the extent practicable, use cooperative agreements to fund technology deployment and research activities by organizations outside the Federal Government.*

1                   (B) *NATIONAL LABORATORIES.*—*In the case*  
 2                   *of a technology deployment or research activity*  
 3                   *conducted by a national laboratory, a funding*  
 4                   *method other than a cooperative agreement may*  
 5                   *be used if such a funding method would be more*  
 6                   *administratively convenient.*

7                   (2) *FEDERAL SHARE.*—

8                   (A) *IN GENERAL.*—*The Federal Government*  
 9                   *shall pay not more than 50 percent of the cost*  
 10                  *of technology deployment or research activities*  
 11                  *under the program.*

12                  (B) *QUALIFIED FUNDING AND RE-*  
 13                  *SOURCES.*—*No funds or other resources expended*  
 14                  *either before the start of a project under the pro-*  
 15                  *gram or outside the scope of work covered by the*  
 16                  *funding method determined under paragraph (1)*  
 17                  *shall be credited toward the non-Federal share of*  
 18                  *the cost of the project.*

19                  (c) *TRAINING.*—

20                  (1) *IN GENERAL.*—*Federal departments, agen-*  
 21                  *cies, and commissions shall, to the extent practicable,*  
 22                  *use grants to fund training activities by organiza-*  
 23                  *tions outside the Federal Government.*

24                  (2) *NATIONAL LABORATORIES.*—*In the case of a*  
 25                  *training activity conducted by a national laboratory,*

1        *a funding method other than a grant may be used if*  
 2        *such a funding method would be more administra-*  
 3        *tively convenient.*

4            (3) *FEDERAL SHARE.*—*The Federal Government*  
 5        *may fund 100 percent of the cost of the training ac-*  
 6        *tivities of the program.*

7            (d) *SELECTION.*—*All projects funded under con-*  
 8        *tracts, grants, or cooperative agreements established*  
 9        *under this program shall, to the maximum extent*  
 10       *practicable, be selected in an open, competitive proc-*  
 11       *ess using such selection criteria as the Secretary,*  
 12       *through his program management, and in consulta-*  
 13       *tion with the departments, agencies, and commissions*  
 14       *referred to in section 5(b), determines to be appro-*  
 15       *priate. Any such selection process shall weigh the ben-*  
 16       *efits to the border region.*

17          (e) *ACCOUNTING STANDARDS.*—

18            (1) *WAIVER.*—*To facilitate participation in the*  
 19        *program, Federal departments, agencies, and commis-*  
 20        *sions may waive any requirements for Government*  
 21        *accounting standards by organizations that have not*  
 22        *established such standards.*

23            (2) *GAAP.*—*Generally accepted accounting prin-*  
 24        *ciples shall be sufficient for projects under the pro-*  
 25        *gram.*

1       (f) *NO CONSTRUCTION*.—*No program funds may be*  
 2   *used for construction.*

3   **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

4       *There is authorized to be appropriated to carry out*  
 5   *this Act \$10,000,000 for each of fiscal years 2000 through*  
 6   *2004.*

Amend the title so as to read: “To authorize the Secretary of Energy to establish a multiagency program to alleviate the problems caused by rapid economic development along the United States-Mexico border, particularly those associated with public health and environmental security, to support the Materials Corridor Partnership Initiative, and to promote energy efficient, environmentally sound economic development along that border through the development and use of new technology, particularly hazardous waste and materials technology.”.